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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,652	03/29/2004	Christopher D. Coe	1020.P17866	3418
57035	7590	11/15/2007	EXAMINER	
KACVINSKY LLC			SITTA, GRANT	
C/O INTELLEVATE				
P.O. BOX 52050			ART UNIT	PAPER NUMBER
MINNEAPOLIS, MN 55402			2629	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/812,652	COE ET AL.
	Examiner	Art Unit
	Grant D. Sitta	2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 30 May 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
 - 4a) Of the above claim(s) 21 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 29 March 2004 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-15 rejected under 35 U.S.C. 102(e) as being anticipated by Boger et al (6,326,935) hereinafter, Boger.

3. In regards to claim 1, Boger teaches a control panel disposed on (col. 5-6, lines 60-6) a computing platform (fig. 1 (100)), said control panel having at least one control button (col. 5-6, lines 60-6 “push button”) to control an operation of the computing platform (col. 6, lines 1-24); and

a general purpose input/output circuit (col. 5-6, lines 60-6) to couple to the at least one control button of said control panel (col. 5-6, lines 60-6);
wherein (col. 8, lines 1-20) actuation of the at least one control button causes said general purpose input/output circuit to execute the operation via a human interface device driver (col. 5-6, lines 60-6).

4. In regards to claim 6, Boger teaches monitoring a status of at least one pin of a general (col. 6, lines 1-25) purpose input/output circuit coupled to at least one control button of a control panel disposed on a computing platform to detect an actuation of the

at least one pin (col. 10, lines 25-30 and col. 6, lines 1-25);
in the event an actuation of the least one pin (col. 6, lines 16-25) of the general purpose input/output circuit is detected, generating a human interface device report (col. 5-6, lines 60-6); and in response to the report, executing a control function (col. 8, lines 1-19).

5. In regards to claim 11, Boger teaches monitoring a status of at least one pin (col. 8, lines 1-20 and col. 6, lines 1-25) of a general purpose input/output circuit (col. 5-6, lines 60-25) coupled to at least one control button of a control panel disposed on the computing platform to detect an actuation of the at least one pin (col. 5-6, lines 60—25); in the event an actuation of the at least one pin of the general purpose input/output circuit is detected, generating a human interface device report; and in response to the report, executing a control function (col. 5-6, lines 60—25);

6. In regards to claim 2, Boger teaches wherein the operation is able to be executed without utilizing a Universal Serial Bus controller (col. 6, lines 1-25).

7. In regards to claim 3, Boger teaches wherein the control button includes at least one of a brightness control button, a channel control button, a volume control button, or a power control button (col. 5, lines 60-67).

8. In regards to claim 4, Boger teaches wherein actuation of the at least one control button causes a human interface device report to be generated within the computing platform (col. 5, lines 60-67).

9. In regards to claim 5, Boger teaches wherein the computing platform includes a television tuner to receive a television signal (col. 5, lines 1-15), the control button of said control panel to control a function of the television tuner (col. 9, lines 1-35).

10. In regards to claims 7 and 12, Boger teaches wherein said monitoring includes calling an advanced configuration power interface control to obtain a status of the at least one pin of the general purpose input/output circuit (col. 5, lines 60-67 "on/off (rest/resume)").

11. In regards to claims 8 and 13, Boger teaches in the event an actuation is not detected, waiting for a predetermined time, and then again executing said calling (col. 8, lines 1-20).

12. In regards to claims 9 and 14, Boger teaches wherein said executing is performed by an operating system without utilizing a controller (col. 6, lines 51-67).

13. In regards to claims 10 and 15, Boger teaches wherein said executing includes controlling at least one of a brightness control function, a channel control function, a volume control function, or a power control function (col. 5, lines 60-67).

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

16. Claims 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boger in view of Newlin et al (5,636,211) hereinafter, Newlin.

17. In regards to claim 16, Boger teaches a control panel disposed on (col. 5-6, lines 60-6) a computing platform (fig. 1 (100)), said control panel having at least one control button (col. 5-6, lines 60-6 "push button") to control an operation of a the computing platform (col. 6, lines lines 1-24); and a general purpose input/output circuit (col. 5-6, lines 60-6) to couple to the at least one control button of said control panel (col. 5-6, lines 60-6); wherein (col. 8, lines 1-20) actuation of the at least one control button causes said general purpose input/output circuit to execute the operation via a human interface device driver (col. 5-6, lines 60-6).

Boger differs from the claimed invention in that Boger does not disclose a receiver to receive a multimedia signal broadcast from remote source, and a decoder to decode the multimedia signal;

However, Newlin teaches a system and method for receiver to receive a multimedia signal broadcast from remote source, and a decoder to decode the multimedia signal (col. 8, lines 15-26).

18. It would have been obvious to one of ordinary skill in the art, at the time of the invention, to modify Boger to include the use decoder for a multimedia signal as taught by Newlin in order to access high-speed data as stated in (col. 1-2, lines 60-10).

In regards to claim 17, Boger teaches wherein the operation is able to be executed without utilizing a Universal Serial Bus controller (col. 6, lines 1-25).

19. In regards to claim 18, Boger teaches wherein the control button includes at least one of a brightness control button, a channel control button, a volume control button, or a power control button (col. 5, lines 60-67).

20. In regards to claim 19, Boger teaches wherein actuation of the at least one control button causes a human interface device report to be generated within the computing platform (col. 5, lines 60-67).

21. In regards to claim 20, Boger teaches further comprising a display to display the multimedia signal (fig. 1 (114)).

Response to Arguments

22. Applicant's arguments, see Applicant's Remarks, filed 8/30/2007, with respect to the rejection(s) of claim(s) 1-20 under Graczyk have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Boger and Newlin.

Conclusion

23. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Grant D. Sitta whose telephone number is 571-270-1542. The examiner can normally be reached on M-F 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amare Mengistu can be reached on 571-272-7674. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Grant D. Sitta
October 29, 2007


AMARE MENGISTU
SUPERVISORY PATENT EXAMINER